



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY
PRISON/REENTRY/FIELD
FACILITY/SPANISH MANUALS

REVISION DATE
11/3/21

PAGE NUMBER
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NUMBER
DOC 350.255

POLICY

TITLE
REGISTRATION NOTIFICATION

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II.B.1.a. - Updated terminology


APPROVED:

Signature on file

CHERYL STRANGE, Secretary
Department of Corrections

10/29/21

Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON/REENTRY/FIELD FACILITY/SPANISH MANUALS		
	REVISION DATE 11/3/21	PAGE NUMBER 2 of 9	NUMBER DOC 350.255
	TITLE REGISTRATION NOTIFICATION		

REFERENCES:

DOC 100.100 is hereby incorporated into this policy; [RCW 4.24.550](#); [RCW 9.68A](#); [RCW 9.94A](#); [RCW 9A.28](#); [RCW 9A.44](#); [RCW 72.09.270](#); DOC 310.100 Intake; DOC 350.200 Transition and Release; DOC 350.750 Warrants, Detainers, and Holds; DOC 420.390 Arrest and Search; DOC 460.130 Response to Violations and New Criminal Activity

POLICY:

- I. The Department will provide written notification of registration requirements to all individuals convicted of an offense that requires registration per RCW 9A.44.130. The Department will register all individuals meeting registration requirements before release from any Department facility or transfer to partial confinement.

DIRECTIVE:

- I. Offenses Requiring Registration
 - A. Individuals with the following offenses must register:
 1. Child molestation 1, 2, or 3,
 2. Commercial sexual abuse of a minor,
 3. Communication with a minor for immoral purposes,
 4. Criminal trespass against children,
 5. Custodial sexual misconduct 1,
 6. Dealing in depictions of a minor engaged in sexually explicit conduct 1 or 2,
 7. Failure to register as a sex offender or kidnapping offender, except for first conviction,
 8. Incest 1 or 2,
 9. Indecent liberties, though convictions before 1988 may require review by End of Sentence records employees,
 10. Kidnapping 1 or 2 if the victim is a minor and the individual is not the minor's parent,
 11. Possession of depictions of a minor engaged in sexually explicit conduct 1 or 2,



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY
PRISON/REENTRY/FIELD
FACILITY/SPANISH MANUALS

REVISION DATE
11/3/21


PAGE NUMBER
3 of 9

NUMBER
DOC 350.255


POLICY

TITLE
REGISTRATION NOTIFICATION

12. Promoting commercial sexual abuse of a minor,
13. Promoting prostitution 1 or 2, except for first conviction,
14. Promoting travel for commercial sexual abuse of a minor,
15. Rape 1, 2, or 3,
16. Rape of a child 1, 2, or 3,
17. Sending/bringing into state depictions of a minor engaged in sexually explicit conduct 1 or 2,
18. Sexual exploitation of a minor,
19. Sexual misconduct with a minor 1 or 2,
20. Sexually violating human remains,
21. Trafficking 1 if the individual caused the victim to engage in a sexually explicit act or a commercial sex act,
22. Unlawful imprisonment if the victim is a minor and the individual is not the minor's parent,
23. Viewing depictions of a minor engaged in sexually explicit conduct 1 or 2,
24. Voyeurism,
25. Any felony conviction for a criminal attempt, criminal solicitation, or criminal conspiracy to commit a Class A or Class B felony sex offense,
26. Any gross misdemeanor conviction for a criminal attempt, criminal solicitation, or criminal conspiracy to commit a Class C felony sex offense,
27. Any felony conviction with a finding of sexual motivation,
28. Any conviction for a felony offense in effect at any time before July 1, 1976 that is comparable to a felony sex offense listed above,
29. Any federal, out of state, or tribal kidnapping or sex offense conviction which would require registration in the state of conviction, and
30. Any federal, military, foreign, or out of state conviction for an offense that meets the definition of an offense which requires registration in Washington State.


 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON/REENTRY/FIELD FACILITY/SPANISH MANUALS		
	REVISION DATE 11/3/21	PAGE NUMBER 4 of 9	NUMBER DOC 350.255
	TITLE REGISTRATION NOTIFICATION		

- II. Registration of Individuals Releasing from any Department Facility or Transferring to Partial Confinement - Non-Violator
 - A. At the time of transfer or release, employees will provide written notification of the registration requirements to all individuals required to register. Within 3 business days of transfer/release, the individual will register with the Sheriff's office in the county of transfer/release.
 1. To prepare for transfer/release, the Correctional Records Supervisor/designee will confirm the individual's registration requirements by reviewing the Register Offender screen in the electronic file. The registration flag should be set to "Y".
 - a. If the flag is not set, requirements may be confirmed using the registration determination tool on the Statewide Records SharePoint site or by contacting the End of Sentence Correctional Records Supervisor/designee.
 2. For individuals transferring to partial confinement, the assigned case manager will verify that the registration process with the county Sheriff has been completed.
 - B. The facility Correctional Records Supervisor/designee or partial confinement case manager will:
 1. Enter a complete physical transfer/release address on the Register Offender screen not less than 5 days and not more than 30 days before the individual's transfer/release.
 - a. For transfers to partial confinement, the physical transfer address is the physical address of the approved partial confinement option (e.g., emergency medical placement, electronic home monitoring, Reentry Center, furlough).
 - b. For releases, the physical release address is the actual location where the individual intends to physically reside upon release, which will be developed/identified per DOC 350.200 Transition and Release. A "mailing/contact only address" or post office box is not an acceptable release address.
 - 1) If the individual refuses to provide a physical release address or cooperate in the release address documentation process, the employee will document the release address in


 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON/REENTRY/FIELD FACILITY/SPANISH MANUALS		
	REVISION DATE 11/3/21	PAGE NUMBER 5 of 9	NUMBER DOC 350.255
	TITLE REGISTRATION NOTIFICATION		

the Register Offender screen as homeless in the county of origin.

2. Notify the individual that failing to register to a physical release address or cooperate with the registration requirements:
 - a. Before transfer will result in denial of partial confinement placement.
 - b. Before release may constitute a new charge of failure to register as a sex offender.
3. Complete and print the Register Offender screen form, witness the individual's signature, provide the individual with a copy, and enter the registration date on the Register Offender screen.
4. Review DOC 07-023 Registration Notification with the individual and have the individual sign it.
 - a. If the individual refuses to sign, the employee will note "individual refuses to sign", and have a witness verify the individual was notified of the registration requirement.
 - 1) For transfers to partial confinement, the transfer will be cancelled if the individual refuses to sign.
 - 2) For releases, the employee will notify law enforcement of the individual's stated intent of refusal to register as a sex offender using DOC 07-032 Letter to Law Enforcement for Failure to Register at Time of Release.
 - 3) Failure to sign does not constitute failure to register.
5. Instruct the individual to report in person to the Sheriff's office in the county in which the individual intends to reside within 3 business days of transfer/release.
6. Attach a current photo and a certified copy of the individual's current commitment fingerprint card to the original signed Register Offender screen form and send the completed packet to the Sheriff's office in the county of release, transfer, or in-state detention no later than 3 business days following the individual's transfer.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON/REENTRY/FIELD FACILITY/SPANISH MANUALS		
	REVISION DATE 11/3/21	PAGE NUMBER 6 of 9	NUMBER DOC 350.255
	TITLE REGISTRATION NOTIFICATION		

- a. For individuals who will be released to Immigration and Customs Enforcement (ICE), reside out of state, or be detained out of state, the packet will be sent to the Washington State Patrol.
- C. If the transfer/release address or date changes after the documentation and notification process is completed, but before the individual's transfer/release, the facility Correctional Records Supervisor/designee or partial confinement case manager will provide the updated address and transfer/release date to the End of Sentence Review Program at doceosr@doc.wa.gov and relevant law enforcement agencies as soon as possible.
1. If the address or receiving facility changes, but remains in the same county, the employee will reinitiate the Register Offender screen form with the new address and forward to law enforcement.
 2. If the new address or receiving facility changes to another county, the employee will reinitiate the Register Offender screen form with the new address and forward to law enforcement in the original county of transfer/release. The employee will also complete a new registration packet and forward it to law enforcement in the county of the new address.
- III. Registration of Community Custody Violators
- A. If an individual releasing from a Department facility is required to register, a records employee will:
 1. Complete and print the Register Offender screen, witness the individual's signature, provide the individual with a copy, and enter the registration date on Register Offender screen.
 - a. If the individual refuses to sign, the records employee will note "individual refuses to sign", and have a witness verify the individual was notified of the registration requirement. Failure to sign does not constitute a failure to register.
 2. Notify the End of Sentence Review Program with the subject line "Registerable Violator Release" and include the individual's name, DOC number, release date, and release address, if known.
 - B. If an individual releasing from a Department-contracted jail bed space is required to register, and the jail sanction is more than 30 days, the records employee will notify the End of Sentence Review Program with the subject line "Registerable Violator Release" and include the individual's name, DOC number, release date, and release address, if known.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON/REENTRY/FIELD FACILITY/SPANISH MANUALS		
	REVISION DATE 11/3/21	PAGE NUMBER 7 of 9	NUMBER DOC 350.255
	TITLE REGISTRATION NOTIFICATION		

C. If an individual's release date or release address changes, the records employee will promptly notify the End of Sentence Review Program.

IV. Notification of Registration Requirements for Individuals in Partial Confinement

A. Upon arrival at a partial confinement placement, the case manager/designee will notify and provide written notification to all individuals required to register. Within 3 business days of arrival, the individual will register with the Sheriff's office in the county where the partial confinement placement is located.

1. The case manager will review DOC 07-023 Registration Notification with the individual and have the individual sign it.
 - a. If the individual refuses to sign, the case manager will note "individual refuses to sign" and have a witness verify the individual was notified of the registration requirement. Refusal to sign the form will result in a return to Prison.
 - b. Failure to sign the form does not constitute failure to register.

B. Within one week of arrival, the case manager/designee will verify the individual registered and confirm law enforcement assigned the community notification level, if applicable. The case manager/designee will:


1. Update the County Sex Offender Level in the electronic file to reflect the community notification level set by law enforcement. If the notification level set by law enforcement makes the individual ineligible to remain at the assigned partial confinement, the individual will be returned to Prison.
2. Make an attempt to bring the individual into compliance if the individual has not registered.

C. If the individual escapes from the approved partial confinement placement, the case manager/designee will notify the Sheriff's office.


1. Escape from a partial confinement placement may be grounds for new failure to register charges.

D. The partial confinement case manager/designee will notify the Sheriff's office, as well as the Law Enforcement Notification Program via email at doceosr@doc.wa.gov, if the individual is:

1. Terminated from partial confinement status, or

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON/REENTRY/FIELD FACILITY/SPANISH MANUALS		
	REVISION DATE 11/3/21	PAGE NUMBER 8 of 9	NUMBER DOC 350.255
	TITLE REGISTRATION NOTIFICATION		

2. Returned to Prison, in which case the Sheriff's office notification will be made within 3 business days using DOC 07-036 Return to Prison Letter to Law Enforcement.
- E. At the time of release from partial confinement to the community, employees will follow registration procedures as outlined in this policy for individuals releasing from a Department facility.
- V. Notification of Registration Requirements for Individuals Supervised in the Community
- A. The assigned case manager will notify and provide written notification to all individuals required to register with supervision requirements. The notification will occur at the time of intake or at the time the Department accepts supervision and has legal authority under the terms and conditions of the Interstate Compact agreement.
 1. The case manager will review DOC 07-023 Registration Notification with the individual and have the individual sign it.
 - a. If the individual refuses to sign, the case manager will note "individual refuses to sign", and have a witness verify the individual was notified of the registration requirement.
 - b. Failure to sign the form does not constitute failure to register.
 - B. Within one week of intake completion per DOC 310.100 Intake, the case manager will verify the individual registered and confirm law enforcement assigned the community notification level, if applicable. The case manager will:
 1. Update the County Sex Offender Level in the electronic file to reflect the community notification level set by law enforcement.
 2. Make an attempt to bring the individual into compliance if the individual has not registered.
 - C. The case manager will follow DOC 350.750 Warrants, Detainers, and Holds, DOC 420.390 Arrest and Search, and DOC 460.130 Response to Violations and New Criminal Activity to address a violation of failure to register.
 - D. If the individual moves to a new address or becomes homeless, the case manager will confirm with the Sheriff's office that the individual updated registration.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON/REENTRY/FIELD FACILITY/SPANISH MANUALS		
	REVISION DATE 11/3/21	PAGE NUMBER 9 of 9	NUMBER DOC 350.255
	TITLE REGISTRATION NOTIFICATION		

- E. If the individual absconds from supervision, the case manager will notify the Sheriff's office.

DEFINITIONS:

The following words/terms are important to this policy and defined in the glossary section of the Policy Manual: Child. Other words/terms appearing in this policy may also be defined in the glossary.

ATTACHMENTS:

None

DOC FORMS:

- DOC 07-023 Registration Notification
- DOC 07-032 Letter to Law Enforcement for Failure to Register at Time of Release
- DOC 07-036 Return to Prison Letter to Law Enforcement